



**Official Report of the Proceedings
of the
BOARD OF EDUCATION
of the City of Chicago**

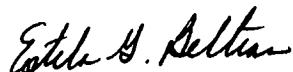
**Special Meeting-Wednesday, November 9, 2011
9:30 A.M.
(125 South Clark Street)**

Published by the Authority of the Chicago Board of Education

**David J. Vitale
President**

**Estela G. Beltran
Secretary**

ATTEST:



Secretary of the Board of Education
of the City of Chicago

President Vitale took the Chair and the meeting being called to order there were then:

PRESENT: Mr. Bienen, Dr. Hines*, Mr. Ruiz, Ms. Pritzker, Mr. Sierra*, Ms. Zopp, and President Vitale – 7

ABSENT: None

*Dr. Hines and Mr. Sierra entered the meeting after the roll was called.

ALSO PRESENT: Jean Claude Brizard, Chief Executive Officer, Ms. Noemi Donoso, Chief Education Officer, and Mr. Patrick J. Rocks, General Counsel.

President Vitale thereupon opened the meeting.

Jean Claude Brizard, Chief Executive Officer, and Mr. Calvin Davis, Director of Sports Administration gave a presentation regarding the High School Physical Education Waiver Proposal. See Board Report to Approve Application for a Two Year Renewal of School Code Waiver Regarding Physical Education for Eleventh and Twelfth Grade Students [11-1109-EX1].

President Vitale thereupon opened the floor to the Public Participation segment of the Board Meeting.

11-1109-EX1

**APPROVE APPLICATION FOR A TWO YEAR RENEWAL OF A SCHOOL CODE WAIVER
REGARDING PHYSICAL EDUCATION FOR ELEVENTH AND TWELFTH GRADE STUDENTS**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the Board approve an application for a two year renewal of a waiver from Illinois School Code requirements regarding physical education for eleventh and twelfth grade students.

CURRENT WAIVER: The Board's current physical education ("P.E.") waiver for eleventh and twelfth grade students covers a five-year period commencing with the 2007-2008 school year expires at the end of the 2011-2012 school year.

PHYSICAL EDUCATION REQUIREMENT: The Illinois School Code requires daily P.E. but permits a school board to excuse, on an individual basis, eleventh and twelfth graders when he/she demonstrates any of the following:

1. ongoing participation in an interscholastic athletic program;
2. a need to enroll in academic classes for admission to an institution of higher learning, provided that failure to take such classes will result in the pupil being denied admission to the institution of his or her choice; or
3. a need to enroll in academic classes for graduation from high school, provided that failure to take such classes will result in the pupil being unable to graduate

DISTRICT WAIVER REQUIREMENT: Section 2-3.25g of the School Code permits districts to request waivers of School Code mandates when the applicant district demonstrates that it can address the intent of the mandate in a more effective, efficient or economical manner or when necessary to stimulate innovation or improve student performance. The Illinois State Board of Education (ISBE) submits waivers requested by districts to the General Assembly. If the General Assembly fails to disapprove a waiver request within 60 days, the waiver is deemed granted. Effective January 1, 2008, Section 2-3.25g of the School Code restricts waivers of physical education mandates to a maximum of three two-year waiver periods.

PUBLIC HEARING AND NOTICES: Section 2-3.25g(c) of the Illinois School Code requires the Board to convene a Special Board Meeting to consider a P.E. waiver renewal application and hear testimony from staff as well as interested parents and students. Notice of this Special Board Meeting was published in a Chicago newspaper and provided to state legislators representing Chicago and collective bargaining agents at least seven days in advance of this meeting.

WAIVER TERM: The waiver application requests a two-year renewal period which covers the 2012-2013 and 2013-2014 school years.

DESCRIPTION OF WAIVER APPLICATION: The application enumerates the reasons for seeking the waiver, namely to improve student performance by providing access to higher level courses and opportunities to satisfy graduation requirements. Further, a two-year waiver renewal supports the CEO's goal of transitioning PE 3 and 4 into the longer school day model for high schools.

AUTHORIZATION: Authorize the Chief Executive Officer to execute the physical education waiver application described above and submit it to ISBE in accordance with Section 2-3.25g of the School Code.

Vice President Ruiz moved to adopt Board Report 11-1109-EX1 and was seconded by Board Member Zopp.

The Secretary called the roll and the vote was as follows:

Yea: Mr. Bienen, Mr. Ruiz, Ms. Pritzker, Mr. Sierra, Ms. Zopp, and President Vitale – 6

Abstained: Dr. Hines - 1

Nay: None

President Vitale thereupon declared Board Report 11-1109-EX1 with the noted abstention, adopted.

Dr. Hines presented the following Motion:

11-1109-MO1

MOTION TO HOLD A CLOSED SESSION

MOTION ADOPTED that the Board hold a closed session to consider the following subjects

- (1) Self evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association which the public body is a member pursuant to Section 2(c)(16) of the Open Meetings Act; and
- (2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees pursuant to Section 2(c)(2) of the Open Meetings Act

Mr. Sierra moved to adopt Motion 11-1109-MO1.

Note: See Supplemental Record Provided by the Secretary of the Board regarding the vote for Board Report 11-1109-MO1 below.

Board of Education City of Chicago

Special Board Meeting

Held On

November 9, 2011

Supplemental Record Provided by the Secretary of the Board

This supplemental record is provided by the Secretary of the Board to be included in the stenographic report of proceedings. The motion to close was moved and seconded but not subject to a roll call vote. As the closed session was beginning, the Board was notified by the General Counsel of the need to vote on the motion to close. As a result, the Board returned to open session and proceeded as follows.

Let the record reflect that the board members returned to the Board Chamber to proceed with the relevant vote on the motion to close to go into closed session. The vote was taken and proceeded as follows:

Secretary Beltran: Mr. Bienen?

Member Bienen: Aye.

Secretary Beltran: Dr. Hines?

Dr. Hines: Aye.

Secretary Beltran: Vice President Ruiz?

Vice President Ruiz: Aye.

Secretary Beltran: Ms. Pritzker?

Member Pritzker: Aye

Secretary Beltran: Mr. Sierra?

Member Sierra: Aye.

Secretary Beltran: Ms. Zopp?

Member Zopp: Aye.

Secretary Beltran: President Vitale

President Vitale: Aye.

Secretary Beltran: Seven ayes, zero nays.

President Vitale: We will return to closed session.

**CLOSED SESSION
RECORD OF CLOSED SESSION**

The following is a record of the Board's Closed Session:

- (1) The Closed Meeting was held on November 9, 2011, beginning at approximately 9:45 a.m. at the Central Service Center, 125 South Clark Street, and President's Conference Room 6th Floor, and Chicago Illinois 60603.
- (2) PRESENT: Mr. Bienen, Dr. Hines, Mr. Ruiz, Ms. Pritzker, Mr. Sierra, Ms. Zopp, and President Vitale – 7
 - A. Board Self Evaluation
 - B. Collective Bargaining

No votes were taken in Closed Session.

After Closed Session the Board reconvened.

Members present after Closed Session: Dr. Hines, Mr. Ruiz, Ms. Pritzker, Mr. Sierra, Ms. Zopp, and President Vitale – 6

Members absent after Closed Session: Mr. Bienen - 1

OMNIBUS

At the Special Board Meeting of November 9, 2011 the foregoing motions, reports and other actions set forth from number 11-1109-MO1 and 11-1109-EX1 except as otherwise indicated, were adopted as the recommendations or decisions of the Chief Executive Officer and General Counsel.

Dr. Hines abstained on Board Report 11-1109-EX1.

ADJOURNMENT

President Vitale moved to adjourn the meeting, and it was so ordered by a roll call vote as follows:

The Secretary called the roll and the vote was as follows:

Yea: Dr. Hines, Mr. Ruiz, Ms. Pritzker, Mr. Sierra, Ms. Zopp, and President Vitale – 6

Nay: None

President Vitale thereupon declared the Board Meeting adjourned.

I, Estela G. Beltran, Secretary of the Board of Education and Keeper of the records thereof, do hereby certify that the foregoing is a true and correct record of certain proceedings of said Board of Education of the City of Chicago at its Special Board Meeting of November 9, 2011 held at the Central Service Center 125 South Clark Street, Board Chamber, Chicago, Illinois, 60603.

**Estela G. Beltran
Secretary**

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